

R307. Environmental Quality, Air Quality.**R307-208. Outdoor Wood Boilers~~[-Prohibition]~~.****~~[R307-208-1. Purpose and Applicability~~**

~~R307-208 applies statewide and establishes a ban on outdoor wood boilers, also known as wood-fired hydronic heaters.]~~

R307-208-[2]1. Definitions.

The following additional definitions appl~~ies~~y to R307-208:

"Clean wood" means wood that has not been painted, stained, or treated with any coatings, glues or preservatives, including, but not limited to, chromated copper arsenate, creosote, alkaline copper quaternary, copper azole or pentachlorophenol.

"Commercial new outdoor wood boiler" means a new outdoor wood boiler with a thermal output rating greater than 250,000 BTU per hour.

"Outdoor wood boiler" means a fuel burning device also known as a wood-fired hydronic heater:

(1) Designed to burn wood or other approved solid fuels;

(2) Specified by the manufacturer for outdoor installation or installation in structures not normally occupied by humans; and

(3) Designated to heat building space or water via the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

"New outdoor wood boiler" means an outdoor wood boiler that commences operation on or after March 1, 2013.

"Sole source of heat" means the solid fuel burning device is the only available source of heat for the entire residence or business, except for small portable heaters.

"Residential new outdoor wood boiler" means a new outdoor wood boiler that has a thermal output rating of 250,000 BTU per hour or less.

"Unseasoned wood" means wood that has not been allowed to dry for at least six months.

"Wood pellet outdoor boiler" means an outdoor wood boiler with an automatic pellet feed mechanism.

R307-208-[3]2. Prohibition.

(1) Prohibited fuels. No person shall burn any of the following items in an outdoor wood boiler:

(a) Wood that does not meet the definition of clean wood;

(b) Unseasoned wood;

(c) Garbage;

(d) Tires;

(e) Yard waste, including lawn clippings;

(f) Materials containing plastic;

(g) Materials containing rubber;

(h) Waste petroleum products;

(i) Paints or paint thinners;

(j) Household or laboratory chemicals;

(k) Coal;

(l) Glossy or colored paper;

(m) Construction and demolition debris;

(n) Plywood;

(o) Particleboard;

- (p) Fiberboard;
- (q) Oriented strand board;
- (r) Manure;
- (s) Animal carcasses;
- (t) Asphalt products;

(2) No person shall operate an outdoor wood boiler within 1000 feet of a private or public school, hospital or day care facility.

(3) Setback. A new residential outdoor wood boiler shall not be located less than 100 feet from the nearest property boundary line. A new commercial outdoor wood boiler shall not be located less than 200 feet from the nearest property boundary nor 300 feet from a property boundary of a residentially zoned property.

(4) Stack height. A new outdoor wood boiler shall have a permanent stack extending five feet higher than the peak of any roof structure within 150 feet of the outdoor wood boiler.

(5) [Beginning September 1, 2013, n]In areas other than those described in R307-208-5(1), no person shall sell, offer for sale, supply, install, purchase, or transfer an outdoor wood boiler after March 1, 2013, unless it is EPA Phase 2 qualified or a wood pellet outdoor boiler.

R307-208-[4]3. [~~Exemptions.~~]Visible Emission Standard. [—(1)

All persons who own or operate an outdoor wood boiler prior to October 4, 2012 shall comply with the following requirements to be exempt from the rule:

—(a) Within 180 days of October 4, 2012, register the outdoor wood boiler with the director;

—(b) Operate the outdoor wood boiler in accordance with outdoor wood boiler manufacturer's instructions;
and

—(e)1) Visible emissions for all outdoor wood boilers shall be limited to a shade or density no darker than 20% opacity as measured by EPA Method 9, except for the following:

 ([±]a) An initial fifteen minute start-up period[7]; and

 ([±]b) A period of fifteen minutes in any three-hour period in which emissions may exceed the 20% opacity limitation for refueling.

R307-208-4. New Boiler Labeling.

(1) A permanent label shall be affixed to all new outdoor wood boilers by the manufacturer.

(a) The label material shall be durable to last the lifetime of the new unit.

(b) The label shall be affixed so that it cannot be removed.

(c) The label shall be affixed so that it is readily visible.

(d) The following information shall be displayed on the label:

(i.) Name and address of the manufacturer;

(ii.) Date of manufacture;

(iii.) Model name and number;

(iv.) Serial number;

(v.) Thermal output rating in BTU per hour; and

(vi.) Certified particulate emission rate in pounds per million

1 BTU heat output.

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3 **R307-208-5. Particulate Matter Nonattainment and Maintenance Plan**
4 **Areas.**

5 (1) R307-208-5 applies in all regions of Salt Lake and Davis
6 counties; all portions of the Cache Valley; all regions in Weber and
7 Utah counties west of the Wasatch mountain range; in Box Elder County,
8 from the Wasatch mountain range west to the Promontory mountain range
9 and south of Portage; and in Tooele County, from the northernmost
10 part of the Oquirrh mountain range to the northern most part of the
11 Stansbury mountain range and north of Route 199.

12 (2) No person shall sell, install or resell an outdoor wood
13 boiler commencing March 1, 2013, with the exception of persons who
14 register an outdoor wood boiler under R307-208-5(3).

15 (3) Owners of an existing outdoor wood boiler wishing to replace
16 it after March 1, 2013, shall:

17 (a) Register the existing outdoor wood boiler with the director
18 by March 1, 2013;

19 (b) Replace the existing outdoor wood boiler with a wood pellet
20 outdoor wood boiler; and

21 (c) Comply with the provisions of R307-208-2 and 3.

22 (4) Persons unable to meet setback requirements in R307-208-2(3)
23 because of existing land use limitations must request a waiver from
24 the director before installing an outdoor wood boiler. Such waiver
25 must include written approval from surrounding neighbors within the
26 setback areas described in R307-208-2(3).

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28 **R307-208-6. Air Quality Action and Alert Days.**

29 (1) By March 1, 2013, sole sources of residential or commercial
30 heating using an outdoor wood boiler must be registered with the
31 director in order to be exempt from R307-208-6(2).

32 (2) No person shall operate an outdoor wood boiler on an air
33 quality action or alert day, except those that are registered with
34 the director as sole source of heat.

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36 **KEY: air pollution, outdoor wood boiler, emission standard,**
37 **particulate matter**

38 **Date of Enactment or Last Substantive Amendment: 2012**

39 **Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104**
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